



Resolution # HSRA 12-21

Approval of the inclusion of a 10 percent Disadvantaged Business Enterprise (DBE) race-neutral goal, within the overall 30 percent SB goal, as described in the Small and Disadvantaged Business Enterprise Program (S/DBE Program)

Whereas, pursuant to the Grant/Cooperative Agreements between the Federal Railroad Administration (FRA) and the California High-Speed Railroad Authority (Authority), the Authority is required to develop and implement a S/DBE Program to address how the Authority and its Design-Builders will ensure that small businesses, including DBEs, have an opportunity to bid on rail contracts and participate in the project construction.

Whereas, the California High-Speed Rail Board adopted the SB Program Policy on November 3, 2011 and approved the S/DBE Program on April 19, 2012.

Whereas, the S/DBE Program includes a three (3) percent Disabled Veteran Business Enterprise goal, within the overall 30 percent SB goal.

Whereas, consistent with Title 49 Code of Federal Regulations, Part 26 § 26.41, which authorizes State DOT recipients of the Federal Highway Administration, Federal Transit Administration and Federal Airport Administration funding, that, except to the extent the Secretary of Transportation determines otherwise, not less than 10 percent of the authorized funds are to be expended with DBEs. This 10 percent goal is an aspirational goal at the national level, which the United States Secretary of Transportation uses as a tool in evaluating and monitoring DBEs' opportunities to participate in DOT-assisted contracts.

Whereas, upon FRA's acceptance and approval of the S/DBE Program, the Authority will make public the program and ensure current Consultants, Contractors, Short-Listed firms and subrecipients obtain a copy for their reference.

Therefore be it resolved, the inclusion of a 10 percent DBE goal, within the overall 30 percent S/DBE goal, as described in the S/DBE Program Plan is approved.

Therefore be it resolved, the inclusion of the 10 percent DBE goal into the S/DBE Program will read as: *The S/DBE Program has incorporated the best practices of 49 CFR Part 26, Section 26.41 to include a 10 percent DBE goal, within the overall 30 percent SB goal. The 10 percent DBE goal is wholly race-neutral."*

Therefore be it resolved, the Chief Executive Officer or a designee is hereby authorized and directed to amend the S/DBE Program and transmit the revised S/DBE Program Plan to the FRA for approval.

Vote: 5-0
Date: 08/02/2012